

IN THE SUPREME COURT
OF THE
STATE OF SOUTH DAKOTA

SUPREME COURT
STATE OF SOUTH DAKOTA
FILED

MAR 15 2011

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Shirley A. Johnson Legal
Clerk

IN THE MATTER OF THE AMENDMENT OF)
SDCL 16-18-2.4)

RULE 10-18

A hearing was held on February 17, 2010, at Pierre, South Dakota, relating to the amendment of SDCL 16-18-2.4 and the Court having considered the proposed amendment, correspondence and oral presentations relating thereto and being fully advised in the premises, now, therefore, it is

ORDERED that SDCL 16-18-2.4 be and it is hereby amended to read in its entirety as follows:

SDCL 16-18-2.4. Consent and approval for appearance by legal intern--Authority for appearance in civil and criminal matters. A legal intern may appear and participate in any proceeding in any court or before any administrative agency in this state on behalf of any person in the following matters and under the following circumstances:

(1) In any civil matter. In such matters a supervising lawyer shall certify to the court or the administrative agency, orally or in writing, that the client has consented to the appearance of the legal intern. A supervising lawyer is required to be personally present in court or before the administrative agency at each appearance by a legal intern.

(2) In any criminal or quasi-criminal matter, and whether the defendant does or does not have the right to the assignment of counsel under any constitutional provision, statute, or rule of the Supreme Court of this state or of the United States. In such matters the client shall consent in writing and a supervising lawyer shall approve in writing the appearance by the legal intern and the supervising lawyer shall be personally present throughout the proceedings.

IT IS FURTHER ORDERED that the rule shall become effective July 1, 2011.

DATED at Pierre South Dakota, this 15th day of March, 2011.

BY THE COURT

David Gilbertson
David Gilbertson, Chief Justice

ATTEST:

[Signature]
Clerk of the Supreme Court
(SEAL)